

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

H.H, a minor, by and through  
her mother and next friend, H.F.,  
and H.F.,

Plaintiffs,

v.

Civil Action No. 3:07CV223

CHESTERFIELD COUNTY SCHOOL BOARD, et al.,

Defendants.

MOTION TO DISMISS OF DEFENDANTS  
CHESTERFIELD COUNTY SCHOOL BOARD  
AND DR. MARCUS J. NEWSOME, SUPERINTENDENT

Defendants Chesterfield County School Board (“School Board”) and Dr. Marcus J. Newsome, Superintendent of Chesterfield County Public Schools (“Dr. Newsome”), by counsel, pursuant to Fed. R. Civ. P. 12(b)(6), move for dismissal of Dr. Newsome from this action and for dismissal of Counts IV, V, and VI against the School Board. The movants rely on the accompanying Memorandum in Support of this Motion.

WHEREFORE, Defendants Chesterfield County School Board and Dr. Marcus J. Newsome, Superintendent, request that this Court enter an Order granting their Motion to Dismiss, dismissing Dr. Newsome from this action in total, dismissing Counts IV, V, and VI against the School Board and awarding such other relief as the Court may deem appropriate.

Respectfully submitted,

CHESTERFIELD COUNTY SCHOOL BOARD  
and DR. MARCUS J. NEWSOME, SUPERINTENDENT  
By Counsel

/s/

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*and Dr. Marcus J. Newsome, Superintendent*

**CERTIFICATE OF SERVICE**

I certify that on the 28th day of August, 2007, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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And I hereby certify that I will mail the document by U.S. mail to the following non-filing users:

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